

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension of)	
)	
the Educator Certificate of)	CONSENT ORDER OF
)	
Jennifer H. Jenkins)	SUSPENSION
)	
Certificate # 137132)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 11, 2004. On July 14, 2003, the South Carolina Department of Education (Department) sent Ms. Jennifer H. Jenkins a notice of her right to a hearing before the State Board concerning the possible suspension or revocation of her South Carolina educator certificate (certificate) number 137132 by certified mail, return receipt, restricted delivery, and regular mail. Ms. Jenkins received the notice as evidenced by a postal receipt bearing her signature. On July 30, 2003, Ms. Jenkins requested a hearing, which was scheduled for June 30, 2004, before John J. Fantry, Jr., Esquire, a hearing officer appointed by the State Board. Ms. Jenkins appeared at the hearing and was represented by counsel, James Shadd, III, Esquire. The Department sought the revocation of Ms. Jenkins's certificate because of her guilty plea to the charge of Misconduct in Office and because of other allegations of mismanagement of student activities funds at Fairfield Intermediate School (FIS), where she served as principal.

The Department's first witness was Mr. Ben Pearman, CPA, former external auditor for the School District of Fairfield County (District). After receiving testimony from Mr. Pearman about the financial problems at FIS over two fiscal years, the parties asked that the hearing be recessed in order to propose an alternate resolution to the State Board. Ms. Jenkins subsequently agreed to the voluntary retroactive suspension of her certificate, in lieu of continuing the hearing where the Department would seek the revocation of her certificate. The suspension period would be for three years commencing retroactively on June 9, 2003, and ending June 8, 2006. This suspension would be reported to the NASDTEC Clearinghouse and all South Carolina school districts on the grounds of commission of a crime and unprofessional conduct. Ms. Jenkins indicated to the hearing officer that she understood the proposal and freely agreed to accept it.

Based on the statements made by the Department and Ms. Jenkins, Mr. Fantry ordered a stay of the hearing until the proposal could be presented to the State Board. After considering the evidence presented and the proposed agreement, the State Board voted to accept the

Jennifer Jenkins No.# 173132

Initial Here

Date

voluntary suspension of Ms. Jenkins's certificate for three years beginning retroactively on June 9, 2003.

Ms. Jenkins holds a valid South Carolina certificate with over eighteen years of teaching experience credit. She was under contract with the Fairfield County School District (District) for the 1998-1999 and 1999-2000 school years as principal at Fairfield Intermediate School (FIS).

A review by the District's external auditor found many instances of financial mismanagement at FIS in the 1998-1999 and 1999-2000 school years. The District placed Ms. Jenkins on administrative leave on April 20, 2000, during its investigation into the allegations of financial mismanagement at the school. Ms. Jenkins was transferred to McCrorey-Liston Elementary School as principal for the 2000-2001 school year, was promoted to a position in curriculum and instruction within the District Office for a brief period in 2001, and retired at the end of that year to move to Charlotte, North Carolina. On June 9, 2003, Ms. Jenkins pled guilty to the charge of Misconduct in Office, and paid the District restitution in the amount of \$2500.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes "(4) Unprofessional conduct ...(7) Crime against the law of this State of the United States...." S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the preponderance of the evidence presented supports its decision to accept the retroactive suspension of Ms. Jenkins's certificate # 137132, from June 9, 2003 through June 8, 2006, upon the conditions set forth above. If she wishes to have her certificate reinstated at the end of the suspension period, Ms. Jenkins may make a written request to the Office of Teacher Certification of the Department.

South Carolina State Board of Education

By: /S/ Mary E. Jones
Dr. Mary E. Jones
Chair

Columbia, South Carolina
August 11, 2004

I, Jennifer Jenkins, SC Teaching Certificate 137132, do hereby agree to the proposed Consent Order of Suspension, consisting of two pages, and understand that this Order will be presented to the State Board of Education for approval on Wednesday, August 11, 2004.

/S/ Jennifer H. Jenkins 8/6/04
Jennifer H. Jenkins Date